

Message Text

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47

ORIGIN SCSE-00

INFO OCT-01 AF-06 ISO-00 L-03 SCA-01 /011 R

DRAFTED BY SCA:SCS:EMARNOLD:GJL

APPROVED BY SCA:SCS:AFFOWLER

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R 280347Z FEB 76

FM SECSTATE WASHDC

TO AMEMBASSY ADDIS ABABA

UNCLAS STATE 049074

E.O. 11652: N/A

TAGS: CASC, CDES IT (ANTLES, PETER AND HAMMAT, WILLIAM)

SUBJECT: DISPOSITION OF EFFECTS

REF: STATE 16054, ADDIS 1986

1. PROPOSALS CONTAINED IN STATE 16054 PARA 3 CLEARED
PRIOR TRANSMISSION BY L/SCA SUBJECT TO EMBASSY CONCURRENCE
AND PROVIDED NOT CONTRARY ETHIOPIAN LAW.

2. CONTENTS LEG ADVISOR'S MEMORANDUM DO NOT INDICATE
WHETHER ETHIOPIAN CIVIL CODE ARTICLES CITED APPLY ONLY TO
PERSONS HAVING A RESIDENCE ESTABLISHED IN ETHIOPIA OR
WHETHER THESE ARTICLES ALSO PERTAIN TO TRANSIENT PERSONS
"LAST SEEN" IN ETHIOPIA. ARTICLES CONTAIN NUMEROUS
REFERENCES TO ADJUDICATION BY COURT OF PLACE WHERE PERSON
WHO HAS DISAPPEARED HAD HIS PRINCIPAL RESIDENCE (OR
RESIDENCE, IF HE ONLY HAD ONE). IF AFTER REVIEW OF
PERTINENT ARTICLES LEG ADVISOR AND CONOFF CONCLUDE THAT
REFERENCES DO APPLY TO TRANSIENTS AS WELL AS RESIDENTS,
IT WOULD APPEAR THAT EFFECTS COULD NOT BE RELEASED UNTIL
COURT DECISION RENDERED DECLARING (1) ABSENCE OR (2)
DEATH, BASED ON PENULTIMATE PARA LEGATT'S MEMO.

3. ON OTHER HAND, IF DETERMINATION MADE THAT CITED ARTICLES
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DO NOT RPT NOT APPLY TO TRANSIENTS, CONOFF COULD FOLLOW

PROCEDURES PROPOSED IN STATE 16054, PARA 3. IF CONOFF
PREFERS REQUEST AMENDED AFFIDAVIT FROM WIVES RE RESTITU-
TION PRIOR TO RELEASE UNDER PROCEDURES DESCRIBED STATE
16054, CONOFF SHOULD REQUEST SUCH AFFIDAVITS THROUGH
ATTY. DORFMAN.

4. ATTY. DORFMAN INFORMED DEPT HE NOW PLANNING PETITION
WISCONSIN COURT WITHOUT PRESUMPTIVE DEATH REPORT FROM
EMBASSY, TO HAVE CONSERVATOR OF ESTATE NAMED UNDER
WISCONSIN LAW PERTAINING TO MISSING PERSONS. INGERSOLL

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Draft Date: 28 FEB 1976
Decaption Date: 01 JAN 1960
Decaption Note:
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Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
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Document Unique ID: 00
Drafter: SCS:EMARNOLD:GJL
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